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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
| 09/382,406      | 08/24/99    | BREED                | ATTI-197            |

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| EXAMINER  |
|-----------|
| ARTHUR, G |

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 3661     | 5            |

DATE MAILED: 10/09/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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## **DETAILED ACTION**

### ***Oath/Declaration***

No Oath/Declaration is filed with this application. Applicant's representative is required to file an Oath/Declaration.

### ***Specification***

On page 75 of the specification, Applicant's representative is required to remove chart 1 at the bottom of the page and create a new set of figure in the drawings. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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2. Claims 1-56 are rejected under 35 U.S.C. 102(b) as being anticipated by Corrado et al. (U.S. Patent No. 5,482,314).

As to claims 1, 28, 30, 45, 54, 56, Corrado et al. disclose a vehicle system for determining the occupancy state of a seat in the vehicle and comprising a plurality of transducers (24, 26) as shown in Fig. 14 wherein each transducers providing data relating to the occupancy state of the seat. It also comprises at least one database and processor (74,77,82) as shown in Fig. 14 for receiving the data from the transducers and processing the data to obtain an output indicative of the current occupancy state of the seat, the processor comprises an algorithm created from a plurality of data sets each of the data sets representing a different occupancy state of the seat See Fig. 14 (ex: empty seat, child seat). The algorithm producing the output indicative of the current occupancy state of the seat upon inputting a data set representing the current occupancy state of the seat and being formed from data from the transducers (See abstract, lines 11-14).

As to claims 2-27, 29, Corrado et al. disclose the algorithm is a pattern recognition algorithm (See col. 6, lines 21-25) and inputs are combined in a microprocessor circuit by means of a sensor fusion algorithm to produce an output signal to the air bag controller (See abstract, lines 1-17) Corrado et al. disclose the databases and preprocessing the data and for having occupancy states of the seat (See col. 3, lines 31-36, 44-53; col. 7, lines 45-60).

As to claims 31-44, Corrado et al. disclose the occupancy of the seat using live human beings (See col. 10, lines 43-46). It further discloses the environmental

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conditions inside the vehicle (See col. 9, lines 20-45). The further limitations are disclosed by Corrado et al. (See col. 11, lines 34-52; col. 14, lines 22-67).

As to claims 46-53, 55, the limitations are taught by Corrado et al. and therefore are also rejected on the same ground. (See Figs. 9a-9c, 15b, 21-23).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Breed et al. (U.S. Patent No. 6,078,854) disclose an apparatus and method for adjusting a vehicle component.

Breed et al. (U.S. Patent No. 6,081,757) disclose a seated state detecting apparatus.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur whose telephone number is (703) 308-7564. The examiner can normally be reached on 8:30 a.m-6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (703) 308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

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305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

GA

*GA*

September 24, 2001

*Gertrude Arthur*  
**GERTRUDE ARTHUR**  
**PATENT EXAMINER**